HONOURABLE SMT. JUSTICE T.MEENA KUMARI
&
HONOURABLE SRI JUSTICE G. CHANDRAIAH

WRIT PETITION No:26266 OF 2005

Dated: 12.06.2007

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Between:

M. Devender Reddy ..Petitioner

And

1. The Chief Executive Officer,
   Zilla Parishad, Adilabad and others.
..Respondents.

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HONOURABLE SMT. JUSTICE T.MEENA KUMARI
&
HONOURABLE SRI JUSTICE G. CHANDRAIAH

WRIT PETITION No:26266 OF 2005

ORDER: (per Hon'ble Smt. Justice T. Meena Kumari)

The present writ petition is filed by the petitioner aggrieved by the order, dated 1.12.2005 passed by the A.P. Administrative Tribunal, Hyderabad, in O.A.No.4975 of 2005.

The petitioner herein is the 5th respondent before the Tribunal.

Originally, O.A. has been filed by the applicant-5th respondent herein contending that while he was working as Superintendent, Adilabad in Panchayat Raj Division, he was transferred by the orders of the 1st respondent. It is stated that he was promoted as Superintendent on 4.5.2001 and on promotion, he was posted in the office of the 1st respondent and as the applicant completed 4 years of service, he was liable for transfer in terms of G.O.Ms.No.144, dated 7.6.2005. As the applicant has completed four years of service, he had applied for transfer and also participated in the counseling. The applicant was transferred by the proceedings dated 30.6.2005 to the Panchayat Raj Division, Nirmal. In pursuance of the above proceedings, he joined duty on 8.7.2005. While so, M.L.A., of Nirmal appears to have made a representation to the Chief Executive Officer to transfer the applicant from Nirmal and thereby, the applicant was transferred by the 1st respondent vide proceedings No.P1/2331/2005, dated 24.8.2005.

On the other hand, it is the case of the unofficial respondent-writ petitioner that the applicant has indulged in serious grave irregularities including corruption and therefore, he was transferred.

It is the case of the official respondents that the applicant was transferred on 30.6.2005 from Adilabad to Nirmal and after the applicant was transferred to Nirmal, M.L.A., wrote a letter to the 1st respondent as to the misconduct of the applicant while he was working in Z.P.P., Adilabad.

On a perusal of the respective contentions of the official and unofficial parties, the tribunal having observed that on the ground of irregularities alleged to have been committed in Adilabad, the applicant was transferred from Adilabad to Nirmal and therefore, the proceedings of the 1st respondent are in violation of the Government instructions in transferring him from

Nirmal, disposed of the O.A. setting aside the impugned proceedings.

Having aggrieved by the same, the petitioner, who is the 5th respondent before the Tribunal, preferred the present petition.

When the matter has come up for hearing, it is submitted by the learned Counsel for the writ petitioner that both the petitioner and the unofficial respondent are working in their respective places.

In view of the above submission and in view of the fact that the applicant and the unofficial respondent have been working in their respective places, We feel that no further orders need be passed in this writ petition.

In view of the above submission, the writ petition is disposed of accordingly. No order as to costs.

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Justice T. Meena Kumari

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Justice G. Chandraiah

Date: 12th June, 2007
Nn/Gurc.

HONOURABLE SMT. JUSTICE T.MEENA KUMARI
&
HONOURABLE SRI JUSTICE G. CHANDRAIAH

WRIT PETITION No:26266 OF 2005

(Order delivered by the Hon'ble Smt. Justice T. Meena Kumari)

12/06/2007

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